



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 20.06.2017  
CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND  
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

**H.C.P(MD)No.899 of 2017**

Palaniappan : Petitioner

Vs.

State rep. by

1.The Superintendent of Police,  
Office of Superintendent of Police,  
Trichy District.

2.The Inspector of Police,  
Manapparai Police Station,  
Manapparai,  
Trichy District.

3.Alagappan : Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus petition, directing the 1<sup>st</sup> and 2<sup>nd</sup> Respondents to produce petitioner's wife namely, Premalatha, aged 21 years, before this Hon'ble Court and set her at liberty.

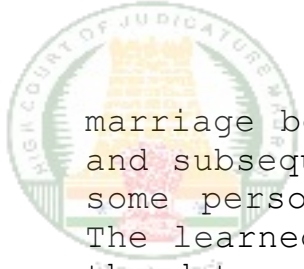
For Petitioner : Mr.A.Joel Paul Antony  
For Respondents 1 & 2 : Mr.T.Mohan  
Additional Public Prosecutor

**O R D E R**  
**\*\*\*\*\***

**[Order of the Court was made by T.S.SIVAGNANAM, J.]**

The petitioner, claiming himself the husband of the detinue, seeks production of her before this Court. According to the petitioner, the detinue has been abducted by the third respondent.

2.The learned Additional Public Prosecutor on instructions submitted that based on the complaint of the petitioner, the respondent police have enquired into the matter and the detinue has appeared before the respondent police and stated that the



marriage between her and the petitioner was performed by a Prohit and subsequently, she did not want to live with the petitioner for some personal reasons and accordingly, she left the petitioner. The learned Additional Public Prosecutor produced the statement of the detenue for our perusal.

3. Thus, we find that it is not a case of illegal detention but a case of voluntary separation. Therefore, if the petitioner is aggrieved, it is open for the petitioner to approach appropriate Court for remedy.

4. This Habeas Corpus Petition is dismissed with the above observation.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Office of Superintendent of Police,  
Trichy District.

2. The Inspector of Police,  
Manapparai Police Station,  
Manapparai,  
Trichy District.

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 cc to Mr.A.Joel Paul Antony , Advocate in SR.No. 61072

Is/sj

AE/SKN RSK/SAR1/30.06.2017/2P/5C

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